

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

BERNARD JONES,

Petitioner,

v.

STATE OF ARKANSAS,

Respondent.

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No. 4:10CV01183 MLM

MEMORANDUM AND ORDER OF TRANSFER

This matter is before the Court on petitioner's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. The Court will grant in forma pauperis status on a provisional basis. Additionally, the Court will transfer this case to the United States District Court for the Western District of Arkansas.

Petitioner, an Arkansas state prisoner, seeks a writ of habeas corpus under 28 U.S.C. § 2254. Petitioner is incarcerated in the Eastern District of Arkansas, and petitioner's conviction arose in the Western District of Arkansas.

Because petitioner's incarceration and conviction both lie in Arkansas, this Court lacks jurisdiction over the petition. However, rather than dismiss this action, the Court finds that it is in the interest of justice to transfer it to the United States District Court for the Western District of Arkansas under 28 U.S.C. § 1631.

Accordingly,

IT IS HEREBY ORDERED that petitioner is **provisionally granted** in forma pauperis status, subject to modification by the United States District Court for the Western District of Arkansas.

IT IS FURTHER ORDERED that the Clerk shall transfer this case to the United States District Court for the Western District of Arkansas. 28 U.S.C. § 1631.

Dated this 6th day of July, 2010.

/s/Donald J. Stohr
UNITED STATES DISTRICT JUDGE